

104TH CONGRESS  
1ST SESSION

# S. 1418

To provide for the more effective implementation of the prohibition against the payment to prisoners of supplemental security income benefits under title XVI of the Social Security Act or monthly benefits under title II of such Act, and to deny such supplemental security income benefits for 10 years to a person found to have fraudulently obtained such benefits while in prison.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 17 (legislative day, NOVEMBER 16), 1995

Mr. PRESSLER introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To provide for the more effective implementation of the prohibition against the payment to prisoners of supplemental security income benefits under title XVI of the Social Security Act or monthly benefits under title II of such Act, and to deny such supplemental security income benefits for 10 years to a person found to have fraudulently obtained such benefits while in prison.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This bill may be cited as the “Prisoner Fraud Pre-  
3 vention Act”.

4 **SEC. 2. IMPLEMENTATION OF PROHIBITION AGAINST PAY-**  
5 **MENT OF BENEFITS TO PRISONERS.**

6 (a) SSI BENEFITS.—Section 1611(e)(1) of the Social  
7 Security Act (42 U.S.C. 1382(e)(1)) is amended by adding  
8 at the end the following:

9 “(I) The Commissioner shall enter into a contract  
10 with any interested State or local institution referred to  
11 in subparagraph (A), under which—

12 “(i) the institution shall provide to the Commis-  
13 sioner, on a monthly basis, the names of, and other  
14 identifying information about, the inmates of the in-  
15 stitution; and

16 “(ii) the Commissioner shall pay to the institu-  
17 tion, with respect to each inmate of the institution  
18 who, by reason of this paragraph, is ineligible for a  
19 benefit under this title, and who is found by the  
20 Commissioner to have been erroneously paid a bene-  
21 fit under this title while such an inmate, an amount  
22 equal to 50 percent of the monthly amount most re-  
23 cently erroneously so paid to the inmate.”.

24 (b) OASDI BENEFITS.—Section 202(x)(3) of such  
25 Act (42 U.S.C. 402(x)(3)) is amended—

26 (1) by inserting “(A)” after “(3)”; and

1 (2) by adding at the end the following:

2 “(B) The Commissioner shall enter into a contract  
3 with any interested State or local institution described in  
4 clause (i) or (ii) of paragraph (1)(A) the primary purpose  
5 of which is to confine individuals as described in para-  
6 graph (1)(A), under which—

7 “(i) the institution shall provide to the Commis-  
8 sioner, on a monthly basis, the names of, and other  
9 identifying information about, the individuals so con-  
10 fined in the institution; and

11 “(ii) the Commissioner shall pay to any such in-  
12 stitution, with respect to each individual found by  
13 the Commissioner to have been erroneously paid a  
14 benefit under this title while so confined in the insti-  
15 tution, an amount equal to 50 percent of the month-  
16 ly amount most recently erroneously so paid to the  
17 individual.”.

18 **SEC. 3. DENIAL OF SSI BENEFITS FOR 10 YEARS TO A PER-**  
19 **SON FOUND TO HAVE FRAUDULENTLY OB-**  
20 **TAINED SSI BENEFITS WHILE IN PRISON.**

21 Section 1611(e)(1) of the Social Security Act (42  
22 U.S.C. 1382(e)(1)), as amended by section 1 of this Act,  
23 is amended by adding at the end the following:

24 “(J) A person shall not be an eligible individual or  
25 eligible spouse for purposes of this title if—

1           “(i) the Commissioner finds that the person has  
2           made a fraudulent statement or representation in  
3           order to obtain benefits under this title while serving  
4           a prison sentence; and

5           “(ii) the 10-year period that begins with the  
6           date the person has completed the sentence has not  
7           expired.”.

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